

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLENE FEMMININEO,

Plaintiff,

Case No. 13-11682

v.

Hon. John Corbett O'Meara

DANE SLATER, *et al.*,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR REHEARING**

Before the court is Plaintiff's motion for rehearing, filed July 11, 2013. Defendants filed a motion to dismiss on May 7, 2013. The court scheduled oral argument for July 11, 2013. Pursuant to L.R. 7.1(e), Plaintiff's response was due within 21 days after service, or May 31, 2013. See Fed. R. Civ. P. 6. Plaintiff did not file a timely response. Having received no response more than a month after it was due, the court ruled on the papers and cancelled the hearing. The court granted Defendants' motion to dismiss and entered judgment in favor of Defendants on July 2, 2013.

On July 11, 2013, Plaintiff requests reconsideration, stating essentially that her counsel was overwhelmed with other responsibilities that prevented the timely filing of a response. The court notes that Plaintiff did not request an extension of time to file a response. Further, Plaintiff's counsel's responsibilities in June and July do not serve to excuse the filing of a timely response, which was due in May. See Affidavit. Plaintiff has not presented grounds to set aside the judgment. See Fed. R. Civ. P. 60(b).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for rehearing is  
DENIED.

s/John Corbett O'Meara  
United States District Judge

Date: August 8, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, August 8, 2013, using the ECF system.

s/William Barkholz  
Case Manager